

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

PATSY POWELL,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACT. NO. 1:18-cv-958-ECM
)	(WO)
HM TRUCKING, LLC, <i>et al.</i> ,)	
)	
Defendants.)	

MEMORANDUM OPINION and ORDER

Now pending before the Court is the Plaintiff's motion for leave to amend complaint and amended motion for leave to amend the complaint (docs. 21 & 24). The Defendants oppose the motion to amend. (Doc. 25). The Plaintiff seeks to amend the complaint to "add an additional count which alleges negligent hiring, training and supervision as to HM Trucking, LLC." (Doc. 24 at 4, para. 11). This case was removed to this Court on November 13, 2018. (Doc. 1). On February 13, 2019, the Court entered the Uniform Scheduling Order which set a deadline of April 5, 2019, for the plaintiff to file any motions to amend the pleadings. The Plaintiff's motions to amend the complaint are untimely under the Uniform Scheduling Order.

More importantly, however, the Plaintiff offers no cogent reason for the delay. The Plaintiff asserts she only learned during an April 18, 2019 telephone conference with the Defendant that certain documents could not be produced. This discovery issue apparently forms the factual basis for her new claim. However, the Defendant responded to the Plaintiff's discovery requests on January 11, 2019. The Plaintiff offers no explanation as

to why she did not diligently pursue any new after receipt of Defendant's discovery responses. The Plaintiff has failed to demonstrate good cause for failing to adhere to the Court's deadlines. Accordingly, her motions to amend will be denied.

Also pending before the Court are the parties' joint motion for an extension of deadlines (doc. 28) and motion to expedite review (doc. 30). Upon consideration of the joint motion for an extension of time, the Court concludes that a short extension is warranted.

Accordingly, it is

ORDERED as follows:

1. That the Plaintiff's motion for leave to amend the complaint (doc. 21) and amended motion to amend the complaint (doc. 24) are DENIED.
2. That the parties' joint motion for an extension of deadlines for discovery cut-off, settlement conference, and dispositive motions is GRANTED to the extent that the discovery and settlement conference deadlines are EXTENDED to November 29, 2019 and the dispositive motions deadline is EXTENDED to December 20, 2019.
3. That the Plaintiff's motion to expedite review (doc. 30) is DENIED as moot.

DONE this 3rd day of September, 2019.

/s/ Emily C. Marks
EMILY C. MARKS
CHIEF UNITED STATES DISTRICT JUDGE